

**PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : KOLAR, Michael et al.  
FOR : **MODULAR AIR GAP DEVICE AND FAUCET  
INCLUDING SAME**  
SERIAL NO. : Unknown  
FILED : Herewith  
GROUP ART UNIT : Unknown  
ATTORNEY DOCKET NO. : TOMZ 2 00428

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, Applicant submits the following Disclosure Statement concerning art of which the Applicant is aware. A copy of PTO-1449 is enclosed herewith.

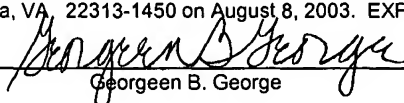
This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein or submitted herewith is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

**SEE NEXT PAGE**

**EXPRESS MAIL CERTIFICATE**

I hereby certify that this Information Disclosure Statement and form PTO-1449 are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on August 8, 2003. EXPRESS MAIL NO.: EV 341153517 US

  
Georgeen B. George

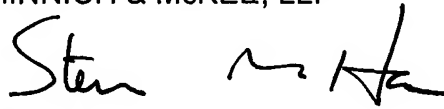
Pursuant to Notice dated 05 August 2003 (copy attached), no copies of the cited U.S. Patent documents are enclosed. Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language.

Under § 1.97(b)(1), this information disclosure statement is being filed within three months of the filing date of the application. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

A handwritten signature in black ink, appearing to read "Steven M. Haas", written over a horizontal line.

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<b>Subst. Form PTO-1449</b>  <b>APPLICANT'S(S') INFORMATION DISCLOSURE STATEMENT</b>	<b>Atty. Docket No.:</b> TOM2 00428	<b>Serial No.:</b> Unknown
	<b>Applicant(s):</b> Kolar et al.	
	<b>Filing Date:</b> Herewith	<b>Group:</b> Unknown

**U.S. PATENT DOCUMENTS**

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	3,794,172	26FE1974	Bray			
	AB	3,967,638	06JL1976	Tondreau			
	AC	4,134,419	16JA1979	Richetti			
	AD	4,210,533	01JL1980	Astl			
	AE	4,635,673	13JA1987	Gerdes			
	AF	4,771,485	20SE1988	Traylor			
	AG	4,853,117	01AU1989	Burrows			
	AH	4,967,784	06NO1990	Barhydt, Sr. et al.			
	AI	5,020,569	04JE1991	Agresta			
	AJ	5,096,574	17MR1992	Birdsong et al.			
	AK	5,131,277	21FL1992	Birdsong et al.			
	AL	5,132,017	21JL1992	Birdsong et al.			
	AM	5,305,778	26AP1994	Traylor			
	AN	5,635,058	03JE1997	Bowman			
	AO	5,865,209	02FE1999	Vidal			
	AP	6,524,472	25FE2003	Monroe			
	AQ	6,524,483	25FE2003	Monroe			

**FOREIGN PATENT DOCUMENTS**

		Document No.	Date	Country	Class	Subcl.	Translation?
	AR						
	AS						

**OTHER ART**

	AU	
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Examiner:

Date Considered:

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

## **United States Patent and Trademark Office OG Notices: 05 August 2003**

Information Disclosure Statements  
May Be Filed Without Copies of  
U.S. Patents and Published Applications in  
Patent Applications filed after June 30, 2003

### **Background**

The U.S. Patent and Trademark Office (USPTO or Office) regulations concerning Information Disclosure Statements (IDS) currently require that copies of the cited references be submitted with the IDS listing. See 37 CFR 1.98 (a)(2). In a prior notice in the Official Gazette this requirement was partially waived with respect to U.S. patents and U.S. patent application publications when a patent applicant submitted an IDS using the Office's electronic filing system (electronic IDS, eIDS). See Legal Framework for the Use of the Electronic Filing System, 1263 Off. Gaz. Pat. Off. 60, 10/8/2003, Part V.

All U.S. applications<sup>1</sup> filed after June 30, 2003 are stored in electronic form in the Office's Image File Wrapper (IFW) system.<sup>2</sup> IDSs submitted for these electronic applications are processed by Office staff to create an electronic link which permits cited U.S. patents and U.S. patent application publications to be conveniently viewed by examiners through the Office's patent system. This feature enables the Office to avoid scanning the documents into IFW, obviating the need for their submission.

### **Waiver**

The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international patent applications that have entered the national stage under 35 U.S.C. after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited patents and patent application publications are still required if an eIDS is filed.

Applicants are still required to submit copies of foreign patent documents and non-patent literature in accordance with 1.98(a)(2).

FOR FURTHER INFORMATION CONTACT:

Questions concerning this waiver may be submitted to Jay by e-mail at Jay.Lucas@uspto.gov or by telephone at (703) 305-2919. Comments may also be submitted by mail addressed to: Commissioner of Patents, Box Comments - Patents, Post Office Box 1450, Alexandria, VA 22313-1450, or by facsimile to (703) 305-2919, marked to the attention of Jay Lucas.

S  
Deputy C  
Patent Examiner

1 Except in special situations, such as in applications under 35 U.S.C. 42(c) or containing national security markings.

2 See Notification of United States Patent and Trademark Office Application Records being Stored and Processed in Electronic Form, 68 Fed. Reg. 100, 6/17/2003.